

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

Chris Robert Klein,)	
)	
Plaintiff,)	Civil Action No. 8:16-cv-00445-JMC
)	
v.)	ORDER
)	
United States,)	
)	
Defendant.)	
_____)	

This matter is before the court upon review of United States Magistrate Judge Jacquelyn D. Austin’s Report and Recommendation (“Report”), filed on September 23, 2016, recommending that Defendant’s Motion to Dismiss (ECF No. 26) be granted, and this case be summarily dismissed. (ECF No. 32.) Plaintiff brought this action seeking relief under 42 U.S.C. § 1983 for alleged damages resulting from unauthorized collection actions by an Internal Revenue Service agent. The Report sets forth the relevant facts and legal standards, which this court incorporates herein without a recitation.

The Magistrate Judge’s Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2) for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court, which has no presumptive weight. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The responsibility to make a final determination remains with this court. *Id.* The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made. *Id.*

The parties were advised of their right to file objections to the Report by October 11, 2016. (ECF No. 32.) However, neither party filed any objections to the Report.

In the absence of objections to the Magistrate Judge’s Report, this court is not required to

provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (explaining that a judge may “accept, reject, or modify in whole or in part [a] [M]agistrate [Judge’s] report,” without explanation, when no objections are filed by the challenging party). Rather, “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (*quoting* Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and does not contain any clear error. The court **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 32), **GRANTS** Defendant’s Motion to Dismiss (ECF No. 26), and **DISMISSES** this case with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 24, 2016
Columbia, South Carolina